

Appl. No. Unassigned
Amdt. dated September 18, 2003

REMARKS/ARGUMENTS

By this amendment, Applicant has canceled claims 2-7, 11-16, 21-22, 25-27 and 34 which were allowed, or indicated as being allowable, in the parent application. Thus, claims 1, 8-10, 17-20, 23, 24, 28-33 and 35-39 are presented for examination. Claims 19, 28, 30, 32 and 38 have been amended. Entrance of this amendment prior to examination is respectfully requested.

Claim 1

Claim 1 was rejected in the parent application under 35 USC §103(a) as being unpatentable over Bunney (U.S. Patent No. 6,466,969) in view of U.S. Patent No. 6,179,713 to James *et al.* (hereafter “James”). The Applicants respectfully assert that claim 1 is allowable over those references.

Claim 1 recites, in part, “logic to couple a game client to a messenger client to allow the game client to send the messenger client data used to initiate joining a game.” Bunney and James, standing alone or taken in combination, fail to disclose or suggest at least these claim elements.

Bunney does not teach or suggest a system in which the game client sends “the messenger client data used to initiate joining a game.” There is no disclosure in Bunney that the data used to initiate joining a game is provided by a game client. On the contrary, Bunney appears to disclose that any information that would be used to join a game is located in the centralized database 36 and any action to be taken is specified by the notification server 29. (Bunney at col. 9, lines 38-40, col. 10, lines 18-19, and Fig. 2). Therefore, Bunney teaches away from allowing “the game client to send the messenger client data used to initiate joining a game” as recited, in part, by claim 1.

James describes a centralized game server that supports turn-based multiplayer games (James, Title and Abstract). In that system, players interact with the game through a web browser, which “simply serves as a vehicle for allowing the player to enter moves and apprising the player of the state of the game. The browser 16 does not perform any substantial game

Appl. No. Unassigned
Amdt. dated September 18, 2003

processing.” (James at col. 10, lines 45-48). Therefore, because James does not teach or suggest allowing “the game client to send the messenger client data used to initiate joining a game,” James does not make up for the deficiencies of Bunney.

Therefore, since claim 1 includes at least one element not disclosed or suggested by Bunney, James, or the combination thereof, claim 1 is allowable.

Claims 8-10

Claims 8-10, which depend from claim 1, are allowable for at least the reasons discussed in relation to claim 1, as well as the additional limitations they recite.

Claim 17

Claim 17 was rejected in the parent application under 35 USC §103(a) as being unpatentable over Bunney in view of James. The Applicants respectfully assert that claim 17 is allowable over those references.

Claim 17 recites, in part, “sending, from an inviter game client to an inviter messenger client, data used to initiate joining the game.” Neither Bunney nor James, standing alone or taken in combination, teach or suggest the claim limitation of sending data used to initiate joining the game from an inviter game client to an inviter messenger client. Notably, Bunney uses a centralized server for notifying clients and James assumes each client is connected to a central service. As such, even the combination of their teachings would not suggest sending data in the manner recited in that claim element. Therefore, for at least this reason, and for the additional limitations it recites, claim 17 is allowable.

Claims 18-20 and 23-24

Claims 18-20 and 23-24, which depend from claim 17, are allowable for at least the reasons discussed in relation to claim 17, as well as for the additional limitations they recite.

Claim 28

Claim 28 was rejected in the parent application under 35 USC §102(e) as being anticipated by Bunney. The Applicants respectfully assert that claim 28 is allowable over Bunney.

Amended claim 28 recites, in part, creating a message at an inviter client containing data used for invoking an invitee game client and for joining a game, routing the message to the invitee client, and using the data in the message to invoke the invitee game client and join the game. Bunney does not teach or suggest those claim elements. As Bunney uses a centralized server for notifying clients, there is no need for, or suggestion of, creating a message at an inviter client. Therefore, for at least this reason, and for the additional limitations it recites, claim 28 is allowable.

Claims 29-32

Claims 29-32, which depend from claim 28, are allowable for at least the reasons discussed in relation to claim 28, as well as for the additional limitations they recite.

Claim 33

Claim 33 was rejected in the parent application under 35 USC §103(a) as being unpatentable over Bunney in view of James. The Applicants respectfully assert that claim 33 is allowable over those references.

Claim 33 recites, in part, “logic to couple the inviter game client to the inviter messenger client to allow the inviter game client to send the inviter messenger client data used to initiate joining a game, whereby a message sent by the inviter messenger client includes the data used to initiate joining a game.”

Bunney does not teach or suggest a system in which the inviter game client sends “the inviter messenger client data used to initiate joining a game.” There is no disclosure in Bunney that the data used to initiate joining a game is provided by an inviter game client. On the contrary, Bunney appears to disclose that any information that would be used to join a game is located in the centralized database 36 and any action to be taken is specified by the notification

server 29. (Bunney at col. 9, lines 38-40, col. 10, lines 18-19, and Fig. 2). Therefore, Bunney teaches away from allowing “the inviter game client to send the inviter messenger client data used to initiate joining a game” as recited, in part, by claim 33.

James describes a centralized game server that supports turn-based multiplayer games. (James, Title and Abstract). In that system, players interact with the game through a web browser, which “simply serves as a vehicle for allowing the player to enter moves and apprising the player of the state of the game. The browser 16 does not perform any substantial game processing.” (James at col. 10, lines 45-48). Therefore, because James does not teach or suggest allowing “the inviter game client to send the inviter messenger client data used to initiate joining a game,” James does not make up for the deficiencies of Bunney.

Therefore, for at least these reasons, claim 33 is allowable.

Claim 35

Claim 35 recites, in part, a “user computer system including an activity client [,] engaging the activity using the activity client, [and] invoking the selected activity with a messenger client.” Rather than disclosing both an activity client and a messenger client, Bunney appears to disclose that users connect to the system using a single client process. “The client process connects to a server using HTTP and communicates with a software entity called Session Manager by means of a persistent process, the Connection Manager.” (Bunney at col. 4, lines 44-47). The single client process of Bunney is further illustrated in Fig. 2, in which the client 3 connects to the Connection Manager (CM) 18 through the connection 2. Therefore, Bunney fails to disclose a user computer system including both an activity client and a messenger client, as recited, in part, by claim 35.

James discloses that users interact with the game system through a web browser, which “simply serves as a vehicle for allowing the player to enter moves and apprising the player of the state of the game.” (James at col. 10, lines 45-47 and Figs. 2 and 4). As with Bunney, there is no disclosure in James that the user computer system comprises both an activity client and a messenger client. For at least this reason, the Applicants respectfully submit that claim 35 is patently distinct over the cited references.

Appl. No. Unassigned
Amdt. dated September 18, 2003

Claims 36-37

Claims 36-37, which depend from claim 35, are allowable for at least the reasons discussed in relation to claim 35, as well as for the additional limitations they recite.

Claim 38

Amended claim 38 recites, in part, “program code to accept signals from a user input device to engage a game using a game client; [and] program code to invoke the selected game with a messenger client.” Neither of the cited references, taken alone or in combination, discloses a computer program comprising both a game client and a messenger client. In fact, both of the cited references discuss only a single client process.

Rather than disclosing both an activity client and a messenger client, Bunney appears to disclose that users connect to the system using a single client process. “The client process connects to a server using HTTP and communicates with a software entity called Session Manager by means of a persistent process, the Connection Manager.” (Bunney at col. 4, lines 44-47). The single client process of Bunney is further illustrated in Fig. 2, in which the client 3 connects to the Connection Manager (CM) 18 through the connection 2. Therefore, Bunney fails to disclose a user computer system including both an activity client and a messenger client, as recited, in part, by amended claim 38.

James discloses that users interact with the game system through a web browser, which “simply serves as a vehicle for allowing the player to enter moves and apprising the player of the state of the game.” (James at col. 10, lines 45-47 and Figs. 2 and 4). As with Bunney, James does not disclose a user computer system comprising an activity client and a messenger client.

For at least these reasons, the Applicants respectfully submit that amended claim 38 is patentably distinct over the cited references.

Claim 39

Claim 39, which depends from claim 38, is allowable for at least the reasons discussed in relation to claim 38, as well as for the additional limitations it recites.

Appl. No. Unassigned
Amdt. dated September 18, 2003

PATENT

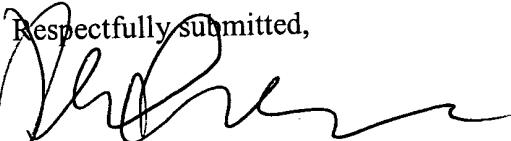
CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Dated: 9/18/03

Respectfully submitted,


Philip H. Albert
Reg. No. 35,819

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: 415-576-0200 Fax: 415-576-0300
PHA:jtc
60030684 v1